The Western District of Washington is the proper venue for Petitioner's case because the minor child is presently found in Tacoma, Washington, 22 U.S.C. 9003(b).

Respondent was personally served with the Summons and Verified Petition on September 4, 2024. Proof of Service is on file with the court at Dkt# 14.

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CLAIMS AND DEFENSES

The Petitioner will pursue at trial the following claims:

- 1. Claim for the Return of Child:
- 2. Claim for court costs, legal fees, transportation costs and all other costs associated with Petition for Return:

The Respondent will pursue the following affirmative defenses: lack of habitual residence and grave danger if forced to return to Mexico.

ADMITTED FACTS

The following facts are admitted by the parties:

- 1. A.C.P.R. was born in Cuba on July 4, 2017.
- 2. Respondent is A.C.P.R.'s mother.
- 3. Petitioner is A.C.P.R.'s father.
- 4. A.C.P.R. lived in Cuba until March 23, 2020.
- 5. A.C.P.R. was in Mexico from March 23, 2020 to August 13, 2023.
- 6. A.C.P.R. moved to the United States in August 2023.
- 7. The Parties were never married.
- 8. The Parties have no written custody agreement with respect to A.C.P.R.

ISSUES OF LAW

- 1. Whether Petitioner proved by a preponderance of the evidence that A.C.P.R. has a habitual residence in Mexico,
- 2. Whether Petitioner proved by a preponderance of the evidence that Respondent wrongfully removed A.C.P.R. from Mexico and retained A.C.P.R. in the United States;

- 3. Whether Respondent proved by clear and convincing evidence her defense that there is a grave risk of physical or psychological harm to A.C.P.R. should she be returned to Mexico.
 - 4. Whether A.C.P.R. should be returned to Mexico;
- 5. Whether Respondent should be ordered to pay Petitioner's legal fees & costs, and cost of transportation and expenses incurred in securing A.C.P.R.'s return to Mexico.

EXPERT WITNESSES

Neither party intends to offer expert witnesses.

OTHER WITNESSES

The names and addresses of witnesses, other than experts, to be used by each party at the time of trial and the general nature of the testimony of each are:

- (a) On behalf of Petitioner:
 - 1. Ruben Paz Gomez- will testify re: all issues, i.e., exercise of custodial rights, habitual residence of A.C.P.R., rebuttal re: Respondent's defenses
 - 2. Azucena Paz Gomez- Petitioner's sister: will testify re: all issues including Petitioner's exercise of custodial rights, habitual residence of A.C.P.R., rebuttal re: Respondent's defenses
 - 3. Carlos Israel Villanueva Quevedo: next door neighbor, will testify re: relevant issues, i.e., Petitioner's exercise of custodial rights, habitual residence of A.C.P.R., rebuttal re: Respondent's defenses
 - 4. Carolina Castellanos Mejia: Long time family friend & parent of A.C.P.R.'s classmate will testify re: relevant issues; Petitioner's exercise of custodial rights, habitual residence of A.C.P.R., rebuttal re: Respondent's defenses
 - 5. Ezequiel González Valencia: Rebuttal witness if necessary
 - 6. Yanisleidy Reyes Gonzalez: Hostile Witness

(b) On behalf of Respondent:

1. Yanisleidy Reyes Gonzalez, email: yanisleidyreyes59@gmail.com; will testify as to Petitioner's abuse, neglect, and abandonment of A.C.P.R. and herself;

- 2. Yamile Reyes Gonzalez, phone: +53 5 2892597; will testify as to Petitioner's abuse, neglect, and abandonment of A.C.P.R. and Respondent;
- 3. Yamilka Caballero, phone: +53 5 4066985; will testify as to Petitioner's abuse, neglect, and abandonment of A.C.P.R. and Respondent;
- 4. Carlos Alejandro Perez Ginebra, phone: 3862050653; will testify as to Petitioner's eviction of A.C.P.R. and Respondent from Petitioner's mother's home.
- 5. Petitioner Ruben Paz Gonzalez; adverse witness.

EXHIBITS

	Petitioner's Exhibits				
Ex. #	Description	Authenticity	Admissibility	Objection	Admitted
1	Hague Application by Ruben Paz Gomez	Stipulated	Stipulated	None	
2	Verified Petition for Return dated August 6, 2024	Stipulated	Stipulated	None	
3	Civil Code for the Federal District, Title Eight of Parental Authority	Stipulated	Disputed	402; 403; E; F	
4	Birth Certificate for Ruben Paz Gomez w/ English translation only	Stipulated	Disputed	402; 403	
5	A.C.P.R.'s Mexican birth certificate with English translation only	Stipulated	Disputed	402; 403	
6	Yanisleidy Reyes Gonzalez's Mexican Visa dated September 30, 2019	Stipulated	Disputed	402; 403; 602	
7	Yanisleidy Reyes's Temporary Residence Card & C.U.R.P.	Stipulated	Disputed	402; 403; 602	

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1		issued March 23, 2020
2	8	A.C.P.R.'s school
3		enrollment: Adela
3		Osorio Granados
4		2020-2021 school
		year
5	9	A.C.P.R.'s 2022-2023
6		school registration at
		Adela Osorio
7	10	Granados A.C.P.R.'s Certificate
0	10	
8		Completion of Preschool, July 26,
9		2023
	11	Verification of Schoo
10		Selection on 2/1/2023
11		and 2023-2024
11		School Assignment
12		6/7/2023
	12	Photos depicting
13		ACPR and family –
14		17 pgs
17	13	Photos of Receipts fo
15		money transfers to M
1.0		Reyes by Mr Paz
16	14	Facebook photo
17		ACPR posted by Ms.
		Yamile Reyes dated
18	15	August 15, 2023
19	13	Facebook photo ACPR posted by
19		Y.Reyes at
20		Hawthorne
21		Elementary:
21		Albuquerque
22	16	Voluntary Return
		Letter
23		Acknowledgment by
24		R. Paz dated
∠4	1 -	November 14, 2023
25	17	Facebook posts: Mt.
		Rainier & A.C.P.R.

	issued March 23, 2020				
8	A.C.P.R.'s school enrollment: Adela Osorio Granados 2020-2021 school year	Disputed	Disputed	402; 403; F	
9	A.C.P.R.'s 2022-2023 school registration at Adela Osorio Granados	Disputed	Disputed	402; 403; F	
10	A.C.P.R.'s Certificate Completion of Preschool, July 26, 2023	Disputed	Disputed	402; 403; F	
11	Verification of School Selection on 2/1/2023 and 2023-2024 School Assignment 6/7/2023	Disputed	Disputed	402; 403; F	
12	Photos depicting ACPR and family – 17 pgs	Disputed	Disputed	402; 403; F	
13	Photos of Receipts for money transfers to Ms Reyes by Mr Paz	Disputed	Disputed	402; 403; F	
14	Facebook photo ACPR posted by Ms. Yamile Reyes dated August 15, 2023	Disputed	Disputed	402; 403; F	
15	Facebook photo ACPR posted by Y.Reyes at Hawthorne Elementary: Albuquerque	Disputed	Disputed	402; 403; F	
16	Voluntary Return Letter Acknowledgment by R. Paz dated November 14, 2023	Stipulated	Disputed	402; 403; F	
17	Facebook posts: Mt. Rainier & A.C.P.R.	Disputed	Disputed	402; 403; F	

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	Birney school certificate				
18	Amber Alert for ACPR filed October 23, 2023 -English translation	Stipulated	Disputed	402; 403; F	
19	Respondent's Objections, Answers and Responses to Petitioner's Discovery Requests dated December 24, 2024	Stipulated	Stipulated	None	
20	ACPR's school records from Birney Elementary	Stipulated	Disputed	402; 403; F	
21	Drawing by ACPR dated June 3, 2023	Disputed	Disputed	402; 403; F	
22	Two heart drawings by ACPR dated June 2023	Disputed	Disputed	402; 403; F	
23	Drawing by ACPR dated July 5, 2023	Disputed	Disputed	402; 403; F	
24	Two Photos of Adrian Paz Gomez & 1 facebook post	Stipulated	Disputed	402; 403; F	
25	Federal I.D. for Ruben Paz Gomez	Stipulated	Disputed	402; 403; F	
26	Photos of Ruben Paz Gomez's home	Disputed	Disputed	402; 403; F	
27	Certificate of No Criminal Record	Stipulated	Disputed	402; 403; F	

	Respondent's Exhibits				
Ex. #	Description	Authenticity	Admissibility	Objection	Admitted
500	9/20/2023 Screenshot of Message from Petitioner - 0009		Disputed	No translation- Ruiz v Oliveira- untimely	
501	Photograph of April 2023 call log		Disputed	Lack of relevance, 402, lack of	

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			foundation	
			F,	
			speculative	
502	Photo of April 2,	Disputed	No	
	2023 text message		translation,	
			Ruiz v	
			Oliveira	
			Untimely,	
			Lack of	
			foundation	
			F,	
			Irrelevant	
			402	
503	Photo of April 2,	Disputed	Irrelevant-	
000	2023 call log	2 ispacea	402	
			Lack of	
			Foundation-	
			F	
			Speculative	
504	Screenshot of	Disputed	No	
304	messages between	Disputed	translation-	
	Respondent and		Ruiz v	
			Oliveira-	
	Yamile Reyes Gonzales		Untimely-	
	Golizales		Lack of	
			foundation-	
			F, Irrelevant-	
			402;	
			hearsay,	
505	G 1 C		801, 802	
505	Screenshot of	Disputed	No	
	messages between		translation-	
	Respondent and		Ruiz v	
	Yamile Reyes		Oliveira	
	Gonzales		Untimely,	
			Lack of	
			foundation,	
			F	
			Irrelevant,	
			402, hearsay	
			801, 802	
506	Screenshot of	Disputed	No	
	messages between		translation-	

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1		Respondent and		Ruiz v	
		Yamile Reyes		Oliveira-	
2		Gonzales		Untimely-	
3				Lack of	
4				foundation, F,	
				Irrelevant,	
5				402,	
6				hearsay, 801, 802	
7	507	Screenshot of	Disputed	No	
		messages between		translation-	
8		Respondent and		Ruiz v	
9		Yamile Reyes Gonzales		Oliveira	
9		Gonzales		Untimely- Lack of	
10				foundation,	
1.1				F	
11				Irrelevant,	
12				402,hearsay,	
				801, 802	
13	508	Screenshot of	Disputed	No	
14		messages between		translation-	
1 1		Respondent and		Ruiz v	
15		Yamile Reyes		Oliveira	
1.6		Gonzales		Untimely- Lack of	
16				foundation,	
17				F	
18				Irrelevant.	
				402,	
19				hearsay,	
20	509	Screenshot of	Disputed	801, 802 No	
		messages between	Disputed	translation-	
21		Respondent and		Ruiz v	
22		Yamile Reyes		Oliveira	
<i></i>		Gonzales		Untimely-	
23				Lack of	
24				foundation, F,	
25				Irrelevant,	
25				402,hearsay.	
26				801, 802	

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1	ſ	510	Screenshot of	Disputed	No	
2			messages between		translation-	
2			Respondent and		Ruiz v Oliveira	
3			Yamile Reyes Gonzales		Untimely-	
4			Conzures		Lack of	
					foundation,	
5					F,	
6					Irrelevant, 402,	
7					hearsay,	
7					801, 802	
8		511	Screenshot of	Disputed	No	
9			messages between Respondent and		translation- Ruiz v	
			Yamile Reyes		Oliveira	
10			Gonzales		Untimely-	
11					Lack of	
10					foundation, F	
12					Irrelevant,	
13					402,hearsay,	
14	-				801, 802	
		512	Screenshot of	Disputed	No	
15			messages between Respondent and		translation- Ruiz v	
16			Yamile Reyes		Oliveira	
1.7			Gonzales		Untimely-	
17					Lack of	
18					foundation, F	
19					Irrelevant,	
					402,	
20					hearsay,	
21	-	513	Screenshot of	Disputed	801, 802 No	
22		313	messages between	Disputed	translation-	
22			Respondent and		Ruiz v	
23			Yamile Reyes		Oliveira	
24			Gonzales		Untimely- Lack of	
					foundation,	
25					F,	
26					Irrelevant,	
	L				402,	

PRETRIAL ORDER - 9 Case No. 3:24-cv-5645-KKE

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			hearsay,	
			801, 802	
514	Screenshot of	Disputed	No	
	messages between		translation-	
	Respondent and		Ruiz v	
	Yamile Reyes		Oliveira	
	Gonzales		Untimely-	
			Lack of	
			foundation,	
			F,	
			Irrelevant.	
			402,hearsay,	
			801, 802	
515	Screenshot of	Disputed	No	
	messages between		translation-	
	Respondent and		Ruiz v	
	Yamile Reyes		Oliveira	
	Gonzales		Untimely-	
			Lack of	
			foundation,	
			F,	
			Irrelevant	
			,402,	
			hearsay 801, 802	
516	Screenshot of	Disputed	No	
310	messages between	Disputed	translation-	
	Respondent and		Ruiz v	
	Yamile Reyes		Oliveira	
	Gonzales		Untimely-	
	Gonzares		Lack of	
			foundation,	
			F,	
			Irrelevant,	
			402,	
			hearsay,	
			801, 802	
517	Declaration of	Disputed	Hearsay,	
	Yamile Reyes	1	801, 802	
			Lack of	
			foundation,	
			F	
518	Cuban authorization	Disputed	Irrelevant,	
	to travel form	1	402,	

PRETRIAL ORDER - 10 Case No. 3:24-cv-5645-KKE

1					Lack of	
2					foundation,	
2					F, 403,	
3					Waste of	
					time,	
4					confusing, prejudice	
5					outweighs	
					benefit	
6	-	519	Cuban passport of	Disputed	No	
7			A.C.P.R.	•	translation-	
,					Ruiz v	
8					Oliveira	
0					Irrelevant,	
9					402,	
10					Lack of	
					Foundation, F	
11	_	52-	Notes from	Disputed	Hearsay,	
12		32	11/14/2024	Disputed	801, 802	
12			appointment		Incomplete	
13					Self-	
14					serving.	
17					Prejudice	
15					outweighs	
1.6	-	521	Notes from	Diameted	benefit, 403	
16		521	12/03/2024	Disputed	Hearsay, 801, 802	
17			appointment		Incomplete	
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18					serving,	
19					Prejudice	
					outweighs	
20			2.7		benefit. 403	
21		522	Notes from	Disputed	Hearsay,	
4 1			12/31/2024		801, 802	
22			appointment		Incomplete Self-	
23					serving,	
۷3					Prejudice	
24					outweighs	
25					benefit, 403	
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ACTION BY THE COURT

- (a) This case is scheduled for evidentiary hearing on February 10–12, 2025.
- (b) The Court has not ordered submission of trial briefs. Petitioner intends to file a trial brief over Respondent's objection. Respondent objects on grounds that (1) the parties stipulated they would not submit pretrial statements (Dkt. 31); and (2) the Second Amended Scheduling Order did not set a deadline for filing trial briefs (Dkt. 38).

This joint statement has been approved by the parties as evidenced by the signatures of their counsel.

DATED this 11th day of February, 2025.

Ayuberly X Eanson

Kymberly K. Evanson United States District Judge

1	FORM APPROVED
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7	Attorney for Petitioner
8	
9	K&L GATES LLP
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